

## **REMARKS**

Claims 1 through 31 continue to be in the case.

New claims 32 through 54 are being submitted

Claims 13 and 21 are being amended.

The new claims have the following basis;

Claim:      Basis:

- 32 claim 8, Fig. 3 and the specification page 12 last paragraph through page 13, first paragraph,
- 33 claim 9 and Fig.2,
- 34 claim 10,
- 35 claim 11,
- 36 claim 12,
- 37 claim 13,
- 38 claim 14,
- 39 claim 15,
- 40 claim 16,
- 41 claim 17,
- 42 claim 18,

43 claim 19,  
44 claim 20,  
45 claim 21,  
46 claim 22,  
47 claim 23,  
48 claim 24,  
49 claim 25,  
50 claim 26,  
51 claim 27,  
52 Fig. 1 and the specification page 11 last paragraph through page 12,  
first paragraph,  
53 Fig. 2 and the specification page 11 last paragraph through page 12,  
first paragraph,  
54 Fig. 1 and the specification page 12, the second paragraph.

Claims 8 and 9 stand rejected under 35 U.S.C. 102(b) as being anticipated by Raff et al. (U.S. Pat. No. 4,463,594). Regarding claim 8, Raff et al. anticipate a method for operating a sensor element, wherein the method is characterized in that the temperature of the sensor is automatically controlled and a temperature set-point value or range is varied by a

perturbation value switch, such as those sensor output signals resulting from lean or rich operating conditions, depending upon the behavior of the sensor signal. Raff et al. teach that the sensor can be used in temperature ranges, which are high, as well as those temperature ranges which are low, while obtaining the same control accuracy (see col. 2, lines 5 - 51). Raff et al. teach that the output signal of the sensor is changed if the effluent gas shifts from a lean condition to a rich condition (see col. 2, lines 53 - 63). Regarding claim 9, Raff et al. teach that the short evaluation time of the signal can be obtained by utilizing a comparator, which tests the temperature signal with respect to a predetermined reference (see col. 3, lines 37 - 56).

Applicant respectfully disagrees.

Claim 8 of the present application requires that the sensor element comprises a gas sensitive layer, and wherein the sensor is electrically heatable by way of a heating structure.

The sensor (1) of Raff et al. does not have a heating structure and therefore the sensor that is described in the reference Raff et al is not heatable by way of a heating structure. Compare Raff et al. Col.4 lines 34-36.

No such heating structure of claim 8 of the present application is taught in the Raff et al. reference. Therefore claim 8 defines the invention over the reference Raff et al.

How the heating structure is controlled electrically through an external resistor by the switching pulse is now additionally claimed in the new claims 52, 53, 54 of the present amendment.

No control of a heating structure is taught in the reference Raff et al.

Claim 9 of the present application requires that the reference value is formed slidingly or adapted out of sensor signals of times past.

The reference value (18b) of Raff et al. is a predetermined reference value. See reference Raff et al. Fig.4 and Col. 3, line 39. Raff does not teach that the reference value (18b) is formed from the output sensor signal.

Therefore claim 9 defines the invention over the reference Raff et al.

Reconsideration of all outstanding rejections is respectfully requested.

All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,

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